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**FACSIMILE  
TRANSMISSION  
TO USPTO**

CERTIFICATION OF FACSIMILE TRANSMISSION:	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE USPTO ON THE DATE SHOWN BELOW:	
Date of Transmission: December 8, 2004	
Name of Person Making Transmission: Teri McDonald	
Signature:  12/8/04	

DOCUMENT(S) FAXED:

PAGES ATTACHED: 2

Re Applic of	Kevin K. Chan, et al.
Docket No.	FIS920030310US1
Serial No.	10/707,712
Filing Date	1/6/04
Attorney	H. Daniel Schnurmann

Attached: RESPONSE TO RESTRICTION REQUIREMENT

**PLEASE DELIVER TO:**  
**EXAMINER: JEROME JACKSON, JR.**  
**ART UNIT: 2815**  
**PHONE NO:**  
**FAX NO: 703-872-9306**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS TO THE RIGHT VIA THE U.S. POSTAL SERVICE.

INTERNATIONAL BUSINESS MACHINES CORPORATION

Intellectual Property Law  
 East Fishkill Facility  
 2070 Route 52  
 Hopewell Junction  
 New York 12533-6531

Fax: 845-892-6363  
 Phone: 845-894-2580

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## CERTIFICATION OF FACSIMILE TRANSMISSION:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING FACSIMILE TRANSMITTED TO THE ASSISTANT COMMISSIONER FOR PATENTS, US  
PATENT OFFICE, ALEXANDRIA, VA ON THE DATE SHOWN BELOW:

Date of Transmission: December 8, 2004

Name of Person Making Transmission: Teri McDonald

 12/8/04

Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn Re Application of

December 8, 2004

Kevin K. Chan, et al

Group Art No: 2815

Serial No. 10/707,712

Examiner: Jerome Jackson, Jr.

Filed: 1/6/04IBM Corporation  
Bldg. 300, Zip 482  
2070 Route 52  
Hopewell Junction, NY 12533Title: STRUCTURE AND METHOD OF MAKING  
HETEROJUNCTION BIPOLAR TRANSISTOR  
HAVING SELF-ALIGNED SILICON-  
GERMANIUM RAISED EXTRINSIC BASE:RESPONSE TO RESTRICTION REQUIREMENTAssistant Commissioner for Patents  
Alexandria VA 22313-1450

Sir:

In an Office Action mailed December 1, 2004, the Examiner has required an election under 35 USC 121 of a single disclosed species for prosecution.

10/707,712

FIS920030310US1

GROUP I, Claims 1-15, drawn to a device, classified in class 257, subclass 198, and

GROUP II, Claims 16-29, drawn to a process, classified in class 438, subclass 15+.

Applicants elect to prosecute the invention of GROUP I, consisting of Claims 1-15, and withdraw from consideration of the claim forming GROUP II, as being drawn to non-elected invention, without prejudice to the Applicants' right to file a Divisional or Continuation or Continuation-in-Part Patent Application for the withdrawn claim.

Thereafter, the invention of GROUP II, namely, Claims 16-29, can be withdrawn by the Examiner under 37 C.F.R. 1.142(b), as being drawn to a non-elected invention.

The election of claims is made without traverse.

Respectfully submitted,  
Kevin K. Chan, et al.

By:



H. Daniel Schnurmann, Agent  
Registration No. 35,791  
Tel.: 845-894-2481

10/707,712

FIS920030310US1